

ANDREEA STEFANESCU
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August 7, 2015

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Regional Freedom of Information Officer
U.S. EPA, Region 9
75 Hawthorne Street (OPA-2)
San Francisco, CA 94105

Re: Freedom of Information Act Request
Concerning contamination of the San Diego Bay that may have emanated
from San Diego Gas and Electric's Silvergate Power Plant
RR File No.: 000235-00370

Dear Sir or Madam:

Pursuant to the Freedom of Information Act, 5 U.S.C. Section 552, we are requesting a copy of any and all existing documents and records in the possession of the Environmental Protection Agency ("EPA") concerning environmental contamination of the San Diego Bay that may have emanated from San Diego Gas & Electric's Silvergate Power Plant located at 1348 Sampson Street, San Diego, California. This may include contamination of an area of underwater marine sediments of San Diego Bay called the Shipyards Sediments Site ("the Site"). The Site is located along the eastern shore of central San Diego Bay, extending approximately from the Sampson Street Extension on the northwest to Chollas Creek on the southeast, and from the shoreline out to the San Diego main shipping channel to the west.

The information sought includes, but is not limited to, the following matters:

1. Any discharge, release or emission of hazardous or toxic substances from the former Silvergate Power Plant into the environment at or surrounding the above Site including information on the cause of any release(s) of hazardous or toxic substances, including any substance whose discharge is prohibited or limited by any NPDES permit, into the environment;
2. Any claims or complaints made by any person or entity, including local residents and businesses, regarding hazardous or toxic substances contamination at or around the above Site;

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3. Any investigation conducted, interviews taken, or reports made regarding any claim or complaint or release of hazardous or toxic substances, including any substance whose discharge is prohibited or limited by any NPDES or other permit, into the environment;
4. Any documents concerning the California Regional Water Quality Control Board Cleanup and Abatement Order No. R9-2012-0024 and related proceedings.
5. Any documents concerning the case, *City of San Diego v. National Steel & Shipbuilding Co.*, Case No. 3:09-CV-02275 in the United States District Court, Southern District of California.
6. Any environmental inspection, sampling, monitoring, testing, reporting, photographs, or videotapes taken of the vicinity, air, soil, premises, and general environment at or near the above Site (e.g. site characterization reports, etc.);
7. Any remediation or cleanup performed, to be performed in the future, or planned at the above Site, whether proposed or undertaken, and the cost related thereto;
8. Any correspondence or other communication among the EPA and any other entity, person or government agency regarding the above Site;
9. Any orders, requests or directives from the EPA or any other governmental entity to investigate or remediate any hazardous or toxic substances contamination on, under or adjacent to the above Site;
10. Any claims, lawsuits or administrative proceedings concerning the releases of any hazardous or toxic substances, including any substance whose discharge is prohibited or limited by any NPDES permit, at, under or adjacent to the Site, including any and all settlement negotiations, settlement agreements, consent decrees and consent orders;
11. Any violations of the Toxic Substances Control Act.

Please send the documents electronically to andreea.stefanescu@rivkin.com. If that is not possible, please mail the documents to my attention at Rivkin Radler LLP, 926 RXR Plaza, Uniondale, NY 11556. My firm is prepared to pay the requisite fees associated with this information request up to \$200. Should the fees exceed \$200, we ask that you contact us prior to sending the documents.

If all or part of this request is denied, please cite the specific exemption(s) which you believe justifies your refusal to release the relevant information, and inform me of the appeal procedures available under the governing law.



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Your prompt handling of this request would be appreciated. If you have any questions or need more information concerning this request, please call me at (516) 357-3353 or by email at andreea.stefanescu@rivkin.com. Thank you for your anticipated cooperation and assistance.

Very truly yours,

RIVKIN RADLER LLP

A handwritten signature in black ink, appearing to read "Andreea", followed by a long, horizontal, slightly wavy line that extends to the right.

Andreea Stefanescu